

**MINUTS OF A JOINT MEETING OF THE
TORRANCE CITY COUNCIL AND THE
ETHICS AND INTEGRITY COMMITTEE**

1. **CALL TO ORDER**

The joint meeting of the Torrance City Council and the Ethics and Integrity Committee convened at 5:00 p.m. on Tuesday, May 25, 2010, in the Toyota Meeting Room, 3330 Civic Center Boulevard.

2. **ROLL CALL/MOTIONS FOR EXCUSED ABSENCE**

Present: Councilmember Barnett, Brewer, Furey, Numark, Rhilinger, Sutherland and Mayor Scotto and Ethics and Integrity Committee Members Gallagher, Gottshall, Matsuda, Montoya and Chairman Payne.

Absent: None.

Also Present: City Clerk Herbers, Staff Liaison to the Ethics and Integrity Committee Lohnes, Deputy City Attorney Strader and Management Aide Elmore.

3. **FLAG SALUTE**

Staff Liaison to the Committee Lohnes led the Pledge of Allegiance.

4. **REPORT OF STAFF ON POSTING OF THE AGENDA**

City Clerk Herbers verified that the agenda for this meeting was appropriately posted.

5. **PRESENTATION OF ETHICS AND INTEGRITY COMMITTEE ON PROPOSED WORK PLAN**

5a. **Introduction of Work Plan Documents by Ethics and Integrity Chairman Charles Payne**

Chairman Payne presented background information on the proposed Work Plan developed by the Ethics and Integrity Committee. He explained that the Plan is at the implementation stage and that feedback from the Council and the public is needed.

5b. **Presentation of Work Plan Documents by Committee Members**

The presentation of proposed Ethics and Integrity Work Plan goals and Key Steps for Implementation began with Chairman Payne offering input on the goal to "Establish a Process to Monitor and Improve Training Programs." He emphasized the importance of training and the relevancy of training standards/information provided during training, for City employees, elected/appointed officials, candidates, etc. Chairman Payne explained that the Committee is considering a recommendation to hire a consultant to support the implementation required in training program changes; that an

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effort is being made to minimize expenses, particularly in these difficult economic times; and that the Committee plans to review and recommend an approach to Citywide training to ensure an effective and properly sustained program.

Member Gottshall provided an overview of the Work Plan goal to “Promote and Encourage Ethical Conduct for Elected Office Candidates.” She entertained various means of reaching out to prospective candidates to develop awareness of ethical campaign practices and ensure that candidates “own” their comments during campaigns, and possible ways of adding to existing information to encourage voters to “vote ethics.” She related her understanding that at least one member of the Ethics and Integrity Committee would like to consider prohibiting members of the Committee from being involved in the political process.

Member Matsuda shared information about the goal to “Develop an Ethics and Integrity Marketing Program.” She noted the two major issues which will affect marketing at this time -- the poor economy and a possible lack of perception with regard to ethics being a problem in the City. Member Matsuda commented on the Committee’s apparent lack of understanding about what should be marketed and the Committee’s efforts to review the City’s existing ethics’ information to help clarify their mission. She pointed out that the Committee’s recommendation will greatly vary as a result of the economic climate and the scale of the effort directed by the Council. Member Matsuda posed the question of whether the Committee as presently constituted is needed at this time and, if so, whether marketing should be delayed to pursue other items directed by the Council.

The goal to “Determine if an Ethics Coordinator/Departmental Liaison is Needed” was discussed by Member Gallagher. He commented on the difficulty of coordinating an Ethics and Integrity Program without a coordinator/departmental liaison and suggested that, if a decision in favor of a coordinator/departmental liaison is made, the position be filled as soon as possible. Member Gallagher asked the Council to verify if the Ethics and Integrity Program is to include City employees.

Member Montoya outlined the goal to “Conduct a Council, Employee and Commissioner Ethics and Integrity Survey.” He shared ideas on the type of information which could be obtained from the Survey and stressed the importance of focusing on the design of the survey.

Chairman Payne presented information on the goal to “Receive and Review a Summary of All Ethics Complaints.” He explained that this information would assist the Committee in developing a more effective Ethics and Integrity Program. Chairman Payne related the Committee’s request for feedback from the Council and the public.

Member Gallagher thanked City Clerk Herbers for the handouts provided at the candidate forums. He asked the Council to clarify the intent of the ordinance establishing the Ethics and Integrity Committee; the Committee’s roles and responsibilities; and the meaning of the word “Citywide” in the ordinance. Member Gallagher related his viewpoint that, to function more effectively, the Ethics and Integrity Committee ordinance should be modified, in that the Committee was set up to function under rules which are not conducive to a working group, and that access to an individual with expertise in this field, as well as those associated with the Program, should be approved.

6. **PUBLIC COMMENTS ON WORK PLAN**

Having served on the Blue Ribbon Committee, Dee Hardison, Torrance provided background information on the Blue Ribbon Committee. She observed that the Ethics and Integrity Committee has progressed and that they will function more like a committee in the future. She related her opinion that the question appears to be what the Council visualizes for the Committee in the future and that the committee can be used in a better way than they have been used thus far.

Relating her experience with the success of subcommittees while serving on City commission/committees, Janet Payne, Torrance pointed out that the formation of subcommittees might help the Ethics and Integrity Committee work together more effectively.

7. **COUNCIL DISCUSSION ON ISSUES PRESENTED IN ETHICS COMMITTEE PROPOSED WORK PLAN**

Staff Liaison Lohnes provided clarification for Councilmember Brewer with regard to budget issues pertaining to the Work Plan goal to "Promote and Encourage Ethical Conduct for Elected Office Candidates."

Councilmember Sutherland stated his opinion that the Ethics and Integrity Committee's work will never be done; that the Committee should only break into subcommittees at regular meetings due to the importance of transparency and compliance with the Brown Act; that ethics must be addressed immediately, not just when problems occur, and should be on-going; and that the Ethics and Integrity Program should be well marketed. He explained his understanding that the Ethics and Integrity Committee ordinance includes that the Committee is responsible to ensure ethical behavior throughout the City; but, ethics can only be imposed on City employees if they agree.

Chairman Payne commented on the importance of the Committee working together and establishing a working environment at meetings. He entertained the idea of enlarging the Committee in the future to form working groups and agreed to the need for a long-term Ethics and Integrity Program.

Also having served on the Blue Ribbon Committee, Councilmember Furey stated his thoughts that ethics problems occur more in the community than at City Hall; that the Committee has the expertise to move forward; and that a coordinator is a good idea, but there is no funding for this position at this time. He concurred with the goal to "Promote and Encourage Ethical Conduct for Elected Office Candidates;" noted the need for the Committee to address relevant Code issues/changes; and drew attention to the importance of the Committee working independently and remaining above political influence when developing guidelines for candidates.

Councilmember Rhilinger related her expectation that the Committee would be more of an enforcement group and she agreed with Councilmember Furey that the Committee should work independently. Councilmember Rhilinger entertained the idea of appointing two additional members to the Ethics and Integrity Committee to enable the

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formation of subcommittees, which would provide for a more relaxed atmosphere, as long as reporting requirements are adhered to.

Councilmember Barnett agreed with the Committee working independently and the effectiveness of subcommittees. He supported a consultant with expertise to lend additional guidance; however, funding for this position is unavailable at this time.

Staff Liaison Lohnes provided input for Councilmember Numark on how other cities addressed the goal to "Promote and Encourage Ethical Conduct for Elected Office Candidates." She indicated that additional information will be obtained and provided to the Council. With regard to the Key Step for Implementation to "Analyze current outreach efforts to prospective candidates for effectiveness in developing public awareness of ethical campaign practices," Ms. Lohnes advised that many of the Work Plan goals were inspired by the City of Santa Clara's Ethics and Integrity Program.

Councilmember Numark questioned what type of guidelines the Committee would develop for candidates and how they would address remaining above political influence when doing so. He related his lack of clarity as to the Committee's enforcement capabilities with the way in which it is currently structured and agreed that there should be some degree of independence, but indicated his concern over possible repercussions.

Members Gallagher and Montoya offered information for Councilmember Numark concerning the anticipated role of a coordinator/liaison. Member Gallagher noted the difficulty of compiling an Ethics and Integrity Program with such limited knowledge. He recommended that discussion of a coordinator/liaison be delayed until there is a better sense of where the Committee is headed.

Councilmember Numark agreed that the need for a coordinator/liaison depends on the structure/vision of the Committee and he said that the time required of such a position depends on whether the Committee is to enforce or educate.

Chairman Payne confirmed for Councilmember Numark that the Ethics and Integrity Committee has received no complaints as of this time. He commented on the value of the Committee receiving a summary of ethics' complaints and of a coordinator/liaison.

Mayor Scotto voiced his hope that the Committee would have been much further along in the process. He said that his vision is very similar to the City of Santa Clara's and suggested that the Committee accomplish the Work Plan goals one at a time, beginning with the goal to "Promote and encourage Ethical Conduct for Elected Office Candidates," to include an instructional class for candidates provided by City Clerk's office or a consultant (such as El Camino College), and candidates signing an ethical statement about behavior during elections. The next goal to be completed would be elected officials/discussion of enforcement and then City employees/development of policies/discussions with unions. Mayor Scotto recommended that these three goals be completed in one year and he indicated that the idea of ethics complaints being heard by the Committee could be considered in the future.

Chairman Payne related his desire to move ahead and his intent to explore the idea of working groups.

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Member Matsuda expressed her concern over the idea of expanding the Committee in order to utilize working groups.

Mayor Scotto commended staff's efforts in assisting the Committee. He voiced his preference for the Committee to work together collectively at public meetings, but advertised workshops could be held at some meetings and that the Committee focus on one goal at a time as described above. He indicated that the idea of eliminating the Committee be considered if results are not realized in one year and that funding will be discussed once the goals are completed.

The Committee thanked the Council for the direction provided. The Council commended the Committee's efforts.

8. **COUNCIL DIRECTION TO ETHICS AND INTEGRITY COMMITTEE**

See No. 7 (beginning on page 3).

9. **ORAL COMMUNICATIONS**

Jeannie Moorman, TME AFSCME Local 1117, expressed appreciation for the efforts of the Council, the Ethics and Integrity Committee and staff.

10. **ADJOURNMENT**

At 6:40 p.m., the City Council recessed to the regular Council meeting at 7:00 p.m. on May 25, 2010, in Torrance City Council Chambers, and the Ethics and Integrity Committee adjourned to the regular meeting on June 23, 2010, 6:30 p.m., in the West Annex Commission meeting room.

Approved as Submitted July 28, 2010 s/ Sue Herbers, City Clerk
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Wendy Weeks
Recording Secretary

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